


Below is an order of the court.



PETER C. MCKITTRICK
U.S. Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re

CHRISTIAN S. RADABAUGH, SR.

Debtor-in-Possession.

Case No. 18-34244-pcm11

AMENDED ORDER GRANTING
DEBTOR'S AMENDED NOTICE OF
INTENT AND MOTION TO SELL
ASSETS OUTSIDE THE ORDINARY
COURSE OF BUSINESS, FREE AND
CLEAR OF LIENS

This matter came before the Court on May 17, 2019, on (1) Debtor's Amended Notice of Intent and Motion for Authority to Sell Assets Outside the Ordinary Course of Business, and Notice of Hearing [ECF No. 172] (the "Amended Motion"); and (2) Debtor's Application to Employ Auctioneer (Central Oregon Livestock Auction) [ECF No. 168] (the "Application to Employ").

The Court, having reviewed the Motion and having heard arguments of counsel, hereby ORDERS as follows:

1. Debtor's AMENDED MOTION is GRANTED;
2. Debtor is authorized to sell the GP Cattle (as defined in the Amended Motion) on the terms and conditions set forth in the Amended Motion;
3. Pursuant to the provisions of 11 U.S.C. § 363, Debtor is hereby authorized and directed to sell the GP Cattle free and clear of any liens and interests in such property;
4. The liens of GP, LLC and Shasta Livestock Auction Yard, Inc. shall attach to the proceeds of the sale to the same extent, priority and validity as they attached to the GP Cattle prior to the sale.
5. Any lien in favor of the Debtor's auctioneer, Central Oregon Livestock Auction ("COLA"), against the GP Cattle shall also attach to the proceeds of the sale to the same extent, priority and validity as such lien had attached to the GP Cattle prior to the sale.
6. From the sale proceeds, COLA shall be entitled to retain 85% of its commission, and 100% of the costs of feed for Debtor's cattle, and freight costs for transporting Debtor's cattle to the auction. All remaining sale proceeds shall be wired to Sussman Shank LLP, counsel for GP, LLC, to be held in trust until further order of the Court.
7. The terms of Paragraph 6 of this Order, regarding COLA's retention of commission, feed costs, and freight costs, shall supersede and replace any inconsistent provision contained in:

- a. The Order Granting Application to Employ Auctioneer (Central Oregon Livestock Auction) [ECF No. 182]; and

- b. Order Granting Amended Notice of Intent to Sell Real or Personal Property at Private Sale, Compensate Real Estate Broker, and/or Pay any Secured Creditor's Fees and Costs; Motion for Authority to Sell Property Free and Clear of Liens; and Notice of Hearing [ECF No. 184].

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I certify that I have complied with the requirements of LBR 9021-1 (a)(2)(A).

Presented by:

/s/ Nicholas J. Henderson
Motschenbacher & Blattner LLP
Nicholas J. Henderson, OSB No. 074027
Motschenbacher & Blattner LLP
117 SW Taylor Street, Suite 300
Portland, OR 97204
Email: nhenderson@portlaw.com
Phone: (503) 417-0508

PARTIES TO SERVE

Electronic Notice:
All ECF Participants

Service via First-Class Mail:
ODR Bkcy
955 Center St NE
Salem, OR 97301-2555